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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,997	01/10/2000	Gadi Mazor	25085-007	3786

29315 7590 04/11/2003

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC  
12010 SUNSET HILLS ROAD  
SUITE 900  
RESTON, VA 20190

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 04/11/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/479,997

Applicant(s)

MAZOR ET AL.

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 March 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Continued Prosecution Application***

1. The request filed on 11/15/2002 (paper no. 13) for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/479,997 is acceptable and a CPA has been established. An action on the CPA follows.

### ***Response to Preliminary Amendment***

2. This Office action is in response to amendment filed 3/19/2003 (paper no. 15).

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1-2, the claim language with the term “any” renders the claims vague and indefinite because the term “any” can be interpreted as an indeterminate number or amount, which the term “any” does not positively identify the claimed limitation, so that it is unclear whether “any portion” is referring to which portion and “any page” is referring to which page.

*Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Toyoda et al. (US PAT. 6,229,884 hereinafter Toyoda).

Regarding claim 1, Toyoda discloses a method for an electronic mail system to route at least one document sheet to at least one recipient at shown in figure 8 (col. 2 line 1-5) comprising the steps of dividing the at least one facsimile page into blocks such that the at least one document sheet contains facsimile information as well as information of destination in a predetermined zone of the document sheet (col. 9 lines 8-14), converting the at least one document sheet into data (col. 9 lines 24-27), isolating at least one of the blocks as a recipient block such that the predetermined zone of the at least one document sheet indicates e-mail destination (col. 9 lines 10-12), locating the address of the at least one recipient by analyzing the

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recipient block and analyzing address data to determine an address corresponding to the at least one recipient (col. 9 lines 29-37), and transmitting the at least one document sheet to the at least one recipient at the located address (col. 9 line 61 through col. 10 line 2).

7. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Alam (US PAT. 6,104,500 hereinafter Alam).

Regarding claim 1, Alam discloses a method for routing at least one document sheet to at least one recipient comprising the steps of dividing the at least one facsimile page into blocks as shown in figure 4 (col. 7 lines 52-57), converting the at least one document sheet into data (col. 7 lines 42-43), isolating at least one of the blocks as a recipient block such that it differentiates between areas of the at least one facsimile page that are unlikely to contain an addressee's name and areas that are likely to contain the name (col. 8 lines 19-25), locating the address of the at least one recipient by analyzing the recipient block (col. 7 line 58) and analyzing address data to determine an address corresponding to the at least one recipient (col. 9 lines 30-59), and transmitting the at least one document sheet to the at least one recipient at the located address (col. 10 lines 35-36).

Regarding claim 2, Alam discloses a system for routing at least one facsimile page (52) as shown in figure 4 to at least one recipient comprising a fax server (20) as shown in figure 1 including a storage unit (i.e., RAM) for storing data and computer programs (col. 7 lines 5-9), wherein one of the computer programs automatically polls a complete list of all possible addressees thereby keeping the fax server an address database (col. 9 lines 39-42), a data processor (34) including a fax-analysis-engine computer program (46), to divide the at least one

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facsimile page in to blocks (col. 7 lines 52-57), to convert the at least one facsimile page into data (col. 7 lines 42-43), to isolate at least one of the blocks as a recipient block such that it differentiates between areas of the at least one facsimile page that are unlikely to contain an addressee's name and areas that are likely to contain the name (col. 8 lines 19-25), to locate the address of the at least one recipient by analyzing the recipient block (col. 7 line 58) and to analyze the address database to determine an address corresponding to the at least one recipient (col. 9 lines 30-59), and a fax-router computer program (44) for automatically routing the facsimile page data to the at least one recipient at the located address such that the fax-router computer program is in operable with a transmitter for sending the facsimile page data to the addresses (col. 10 lines 35-36).

### *Response to Arguments*

8. Applicant's arguments filed 3/19/2003 (paper no. 15) have been fully considered but they are not persuasive.

In response to applicant's argument that Toyota discloses that destination information is provided in a predetermined zone of the document sheet rather than in any portion of the facsimile page, it appears that the term "any" can be interpreted as any quantity or part, i.e., one or some, according to Webster's II New Riverside University Dictionary. Note while Toyota clearly teaches that the recipient block is located in a predetermined portion of the at least one facsimile page (col. 9 lines 8-14), wherein the predetermined portion is being considered as part of any portion and at least one facsimile page is being considered as part of any page. Thus, the claimed limitations are met by Toyota.

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In response to applicant's argument that Alam discloses that analysis of the image of the fax is performed only on the fax cover page rather than in any page of the facsimile, it appears that the term "any" can be interpreted as any quantity or part, i.e., one or some, according to Webster's II New Riverside University Dictionary. Note while Alam clearly teaches to analyze the image of the fax in those areas of the fax cover page (col. 8 lines 19-22 and col. 10 lines 43-48), wherein the fax cover page is being considered as part of any page of the facsimile. Thus, the claimed limitations are met by Alam.

### *Conclusion*

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on (703) 308-9555 from Tuesday to Friday 7:30 a.m. - 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4708.

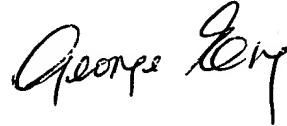
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

George Eng

Examiner

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A handwritten signature in black ink, appearing to read "George Eng", is written over the printed name.